

REMARKS

Claims 1 and 10-12 are pending in this application. Claims 1 and 10-12 stand rejected. By this Amendment, claims 2-9 and 13-16 are cancelled without prejudice. The claims have been cancelled due to the restrictions previously issued by the Examiner. In light of the amendments and remarks set forth below, Applicants respectfully submit that claims 1 and 10-12 are in immediate condition for allowance.

Claims 1 and 10-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,707,298 ("Suzuki"). Applicants respectfully request reconsideration and withdrawal of this rejection. Suzuki was filed October 28, 2002. The present application was filed on October 21, 2003 claiming priority to Japanese applications JP 2002-308376 and JP 2003-359790. The JP '376 application was filed October 23, 2002, which is prior to the filing of Suzuki.

Applicants enclose herewith a verified translation of the JP '376 application to perfect the claim for priority, thereby removing Suzuki as a reference. The JP '376 application fully discloses and supports pending claims 1 and 10-12. In particular, the claims are supported by paragraphs 10, 11, 25-32, 49, and 50. As such, Applicants respectfully request the Examiner withdraw the rejection based on Suzuki and pass the pending case to issue.

Applicants have responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Application No.: 10/689,041

Docket No.: P9219.0003

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: May 10, 2005

Respectfully submitted,

By

Ian R. Blum

Registration No.: 42,336

DICKSTEIN SHAPIRO MORIN & OSHINSKY
LLP

1177 Avenue of the Americas
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicant

IRB/mgs

Enclosure - Verified Translation of JP 2002-308376